FILED FOR RECORD

19-249643

**Notice of Substitute Trustee's Sale**

2019 JAN 31 AM 8:47

SUSAN STRICKLAND
VAN ZANDT CO., TX
BY_____ DEP.

Notice Concerning Military Duty: **Assert and protect your rights as a member of the armed forces of the United States. If you are or your spouse is serving on active military duty, including active military duty as a member of the Texas National Guard or the National Guard of another state or as a member of a reserve component of the armed forces of the United States, please send written notice of the active duty military service to the sender of this notice immediately. Tex. Prop. Code § 51.002(i)**

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| **Deed of Trust Date**: July 27, 2007 | **Original Mortgagor/Grantor**: JOEY K. PEACE SR, AND LISA A. PEACE |
| **Original Beneficiary / Mortgagee**: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., AS NOMINEE FOR FIRST NATIONAL BANK OF CANTON, THE., ITS SUCCESSORS AND ASSIGNS | **Current Beneficiary / Mortgagee**: DITECH FINANCIAL LLC F/K/A GREEN TREE SERVICING LLC |
| **Recorded in**:<br>**Volume**: 2255<br>**Page**: 39<br>**Instrument No**: N/A | **Property County**: VAN ZANDT |
| **Mortgage Servicer**: Ditech Financial LLC | **Mortgage Servicer's Address**: 2100 E Elliot Rd Building 94, Mail Stop T-325 Tempe, AZ 85284 |

* The mortgage servicer is authorized to represent the Mortgagee by virtue of a servicing agreement with the Mortgagee. Pursuant to the Servicing Agreement and Texas Property Code § 51.0025, the Mortgage Servicer is authorized to collect the debt and to administer any resulting foreclosure of the property securing the above referenced loan.

**Secures**:Note in the original principal amount of $58,000.00, executed by JOEY K. PEACE SR ("Borrower") and payable to the order of Lender.

**Property Address/Mailing Address**: 469 CHERRY CREEK LN, CANTON, TEXAS 75103

**Legal Description of Property to be Sold**: ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND BEING LOT 11, BLOCK 4 OF CHERRY CREEK RANCHETTES, A SUBDIVISION SITUATED IN VAN ZANDT COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 6, PAGE 23, (GLIDE 119B) MAP AND PLAT RECORDS, VAN ZANDT COUNTY, TEXAS.

BEING THE SAME LAND IN WARRANTY DEED WITH VENDOR'S LIEN DATED OCTOBER 5, 2002 FROM JOYCE BOYD, A SINGLE PERSON TO JOEY K. PEACE, SR. AND WIFE, LISA A. PEACE, RECORDED IN VOLUME 1759, PAGE 300, REAL RECORDS OF VAN ZANDT COUNT, TEXAS.
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| **Date of Sale**: March 05, 2019 | **Earliest time Sale will begin**: 10:00 AM |

**Place of sale of Property**: Van Zandt County Courthouse, 121 E. Dallas Street, Canton, TX 75103 OR AS DESIGNATED BY THE COUNTY COMMISSIONER'S OFFICE OR IN THE AREA DESIGNATED BY THE COMMISSIONER'S COURT, PURSUANT TO SECTION 51.002 OF THE TEXAS PROPERTY CODE

The Substitute Trustee will sell the property by public auction to the highest bidder for cash at the place and date specified. The sale will begin at the earliest time stated above or within three (3) hours after that time.

**Appointment of Substitute Trustee**: Default has occurred in the payment of the Note and in the performance of the obligations of the Deed of Trust, the same is now wholly due. Because of that default, *DITECH FINANCIAL LLC*, the owner and holder of the Note, has requested Ramiro Cuevas, Aurora Campos, Jonathan Harrison, Shawn Schiller, Patrick Zwiers, Darla Boettcher, Irene Lindsay, Dana Kamin, Lisa Bruno, Ronda Tyler, Meryl Olsen, Randy Daniel, Cindy Daniel, Jim O'Bryant, Vanessa McHaney, whose address is 1 Mauchly Irvine, CA 92618 or Randy Daniel, Cindy Daniel, Jim O'Bryant, whose address is 14800 Landmark Blvd., Suite 850, Dallas, TX 75254,

to sell the property. The Trustee(s) has/have been appointed Substitute Trustee in the place of the original trustee, in the manner authorized by the deed of trust.

**Terms of Sale**: The Foreclosure Sale will be conducted as a public auction and the Property will be sold to the highest bidder for cash, except that *DITECH FINANCIAL LLC* bid may be by credit against the indebtedness secured by the lien of the Deed of Trust.

Pursuant to section 51.009 of the Texas Property Code, the Property will be sold "AS IS," without any expressed or implied warranties, except as to the warranties (if any) provided for under the Deed of Trust. Prospective bidders are advised to conduct an independent investigation of the nature and physical condition of the Property.

Pursuant to section 51.0075(a) of the Texas Property Code, Ramiro Cuevas, Aurora Campos, Jonathan Harrison, Shawn Schiller, Patrick Zwiers, Darla Boettcher, Irene Lindsay, Dana Kamin, Lisa Bruno, Ronda Tyler, Meryl Olsen, Randy Daniel, Cindy Daniel, Jim O'Bryant, Vanessa McHaney, whose address is 1 Mauchly Irvine, CA 92618 or Randy Daniel, Cindy Daniel, Jim O'Bryant, whose address is 14800 Landmark Blvd., Suite 850, Dallas, TX 75254, Trustee reserves the right to set further reasonable conditions for conducting the Foreclosure Sale. Any such further conditions shall be announced before bidding is opened for the first sale of the day held by Ramiro Cuevas, Aurora Campos, Jonathan Harrison, Shawn Schiller, Patrick Zwiers, Darla Boettcher, Irene Lindsay, Dana Kamin, Lisa Bruno, Ronda Tyler, Meryl Olsen, Randy Daniel, Cindy Daniel, Jim O'Bryant, Vanessa McHaney, whose address is 1 Mauchly Irvine, CA 92618 or Randy Daniel, Cindy Daniel, Jim O'Bryant, whose address is 14800 Landmark Blvd., Suite 850, Dallas, TX 75254, Trustee.

**Limitation of Damages**: If the sale is set aside for any reason, the purchaser at the sale shall be entitled only to a return of the funds paid. The purchaser shall have no further recourse against Mortgagor, the Mortgagee, or the Mortgagee's attorney.

**THIS INSTRUMENT APPOINTS THE SUBSTITUTE TRUSTEE(S) IDENTIFIED TO SELL THE PROPERTY DESCRIBED IN THE SECURITY INSTRUMENT IDENTIFIED IN THIS NOTICE OF SALE. THE PERSON SIGNING THIS NOTICE IS THE ATTORNEY OR AUTHORIZED AGENT OF THE MORTGAGEE OR MORTGAGE SERVICER.**

/s/William Attmore
William Attmore
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